

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

ELIZABETH MARCOTTE

PLAINTIFF

VS.

NO. 4:06CV000658

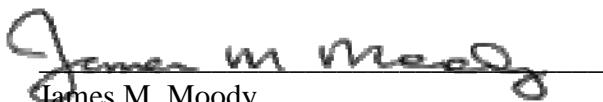
UNITED PARCEL SERVICE, INC. and  
JOHN DOE MAINTENANCE COMPANY

DEFENDANTS

ORDER

Pending is Plaintiff's motion to strike. (Docket # 49). Plaintiff asks the Court to strike the portion of Defendant's motion in limine pertaining to the deposition of Dr. Gruenwald. Plaintiff argues that Defendant's motion is untimely because the motion should have been made in the form of objections to deposition designations which are past due. The Court finds that Defendant's objection could properly be made in either an objection to the Plaintiff's deposition designation or in the form of a motion in limine. Accordingly, the Court finds that Defendant's motion in limine was timely and properly filed. Plaintiff's motion to strike is DENIED.

IT IS SO ORDERED this 17<sup>th</sup> day of July, 2007.

  
James M. Moody  
United States District Judge